

REMARKS

Claims 1 and 8 are amended. Claim 31 and 154-156 are canceled. Claim 161 is added. Claims 1-6, 8-30, 32-40, 44 and 157-161 are in the application.

The specification is amended to correct a typographical oversight. Entry of the same is requested.

The claim identifiers in claims 38 and 39 were objected to as presented in Applicant's last-filed amendment, with the Examiner alleging that such were withdrawn claims. However, Applicant amended such claims in the last action, and accordingly such were "currently amended" in the last action regardless of their "withdrawn" status. It is respectfully asserted that the amendments made were appropriate for the reasons previously argued, and because such claims should be allowed upon allowance of a generic base claim. The designations have been changed to "withdrawn" in this Amendment as no further amendments are made thereto.

Applicant's independent claim 1 stands rejected as being unpatentable over a combination of Sherstinsky et al. in view of Lei et al. Applicant's independent claim 1 has been amended to recite that the radially inner sidewall comprises a portion which aligns with and extends outwardly from the outer peripheral sidewall perpendicularly relative to the recess base. Such is clearly supported in Applicant's application as-filed. For example, with respect to the embodiments of Figs. 4-7, the depicted portions designated with numerals 50,

50a, 50b and 50c constitute examples of such a “portion” as recited in claim 1. Further by way of example only with respect to the embodiment of Fig. 8, portion 55 depicts such an example claim 1-recited “portion”. Accordingly, no new matter is added thereby. Such is neither shown nor suggested by Sherstinsky et al. or Lei et al.

Specifically, Sherstinsky et al. discloses an alignment apparatus 50 having a “tapered alignment portion 60” and a “tapered clearance portion 62”, neither of which constitutes a portion which aligns with a recess outer peripheral sidewall or extends perpendicularly relative to a recess base. Even if base surface 52 in Sherstinsky et al. could be somehow considered as the equivalent of Applicant's claims-recited “recess base”, the radially inner sidewall of the Sherstinsky et al. apparatus 50 is encompassed entirely by surfaces 60 and 62, which each extend non-perpendicularly relative to surface 52.

Regarding Lei et al., no portion of radially inner sidewalls 230 of guide pins 224 aligns with the recess outer peripheral sidewall, and further, surface 230 is clearly shown to be extending relative to the recess base in a non-perpendicular manner.

Accordingly, each of the cited references is lacking in this regard with respect to that which Applicant recites in its amended claim 1. As each reference is lacking that which is recited in claim 1, the combination of such references does not encompass all of the limitations of claim 1, and accordingly, claim 1 should be allowed. Action to that end is requested.

Claim 8 has been written into dependent form to depend from claim 1, and recites that all of the recess outer peripheral sidewall extends perpendicularly relative to the recess base. The undersigned places emphasis on “all” as it is believed the Examiner overlooked such limitation in the “Response to Arguments” section of the December 7, 2006 Office Action Response. Such does not occur in Lei et al. Specifically, the Lei et al. figures show, and col.13, Ins.60+ describes, that the upper inner edge of hoop 282 is angled back. Thus, contrary to the Examiner’s assertion, Lei et al. does not disclose that all of the recess outer peripheral sidewall extends perpendicularly relative to the recess base, as Lei et al. only discloses that an upper portion thereof is angled from perpendicular.

Independent claim 34 stands rejected as being obvious over Sherstinsky et al. in view of Lei et al., with the Examiner merely asserting in an unsupported manner that such are optimized “process” variables. Applicant disagrees and requests reconsideration.

Applicant’s claims are directed to structure, not process, and accordingly, the Examiner’s rationale for the obviousness rejection of claim 34 is misplaced. Regardless, claim 34 recites that the recess outer peripheral sidewall and the radially inner sidewall have a combined elevational length which is less than the thickness of a substrate for which the susceptor is designed. With respect to Lei et al., the Examiner’s attention is directed to Figs. 7(a) and 7(b). Consider the combined height or elevation of the recess within which substrate 24 is received with that of guide pins 224 above the upper surface designed by lead line 282.

In Fig. 7(b), the thickness of substrate 24 is approximately one-fifth that of such combined elevation, while in Fig. 7(a), the thickness of substrate 24 is approximately one-sixth of such combined elevation. In other words, the combined elevation in Lei et al. is clearly not less than the thickness of the substrate for which the susceptor is designed, but rather is at least five-to-six times such thickness. How can a reference, which only teaches a thickness at least five-to-six times more than the thickness of a substrate for which the susceptor is designed teach a combined elevational length which is less than the thickness of a substrate for which the susceptor is designed as Applicant's recites in claim 34? The answer is self-evident that such can't.

With respect to Sherstinsky et al., the elevation of its apparatus 50 above planar base 52 is shown to be at least twenty-five times as thick as the thickness of the depicted substrate 8.

Neither of the applied references is remotely close to that which Applicant recites in independent claim 34, and clearly do not disclose that which Applicant recites in independent claim 34 regarding the combined elevational length of a recess outer peripheral sidewall and the radially inner sidewall of the projections. Accordingly, it is respectfully asserted that Applicant's claim 34 is allowable over a combination of Sherstinsky et al. and Lei et al., and that the rejection thereover should be withdrawn. Action to that end is requested.

New dependent claim 161 is added, and reads on the embodiment of Fig. 8. By way of example only, portion 58 is an example "another portion" in Applicant's claim 161.

As asserted above, independent claims 1 and 34 should be allowed, and action to that end is requested. Those claims which ultimately depend therefrom should be allowed as depending from allowable base claims, and for their own recited features which are neither shown nor suggested in the cited art. The withdrawn claims, and new claim 161, depending therefrom should also be brought back into the application for consideration, and allowed. It is also respectfully asserted that the Examiner can and should examine withdrawn claims 157-168 in this application without undue added burden.

This application is believed to be in immediate condition for allowance, and action to that end is requested.

Respectfully submitted,

Dated: 3-7-07

By: 
Mark S. Matkin
Reg. No. 32,268